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# Road Map for Implementing Risk Management at Mongolian Customs

Customs General Administration

June 2015  
Ulaanbaatar, Mongolia

Project: Mongolia Business Plus Initiative Project (BPI)  
Report Title: ***Road Map for Implementing Risk Management at Mongolian Customs - Customs General Administration***  
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## **ABBREVIATIONS AND ACRONYMS**

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BPI	Business Plus Initiative
CAIS	Customs Automated Information System
CGA	Customs General Administration of Mongolia
GASI	General Agency for Specialized Inspection
HS	Harmonized Schedule
IT	Information Technology
RM	Risk Management
PCA	Post Clearance Audits
USAID	United States Agency for International Development

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## **GLOSSARY**

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Customs System	Computer system used typically for customs to control its operation such as filing, payment of duties and control of clearance
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## **SECTION I: BACKGROUND**

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The CGA has been in the process of implementing RM since 2009 with the support of USAID. In recent years, there have been several changes in key personnel in the organization and it is important to take a step back and get a clear picture of the current status of RM at Mongolian customs and of the next steps required to realize its full potential.

The CGA invested time and effort in fine tuning the RM module. Now the CGA has a reliable tool for assigning red, orange and green stamps. However, deployment of this tool actually marks the beginning of a life-long commitment to utilizing an integrated, multi-faceted agency-wide approach to RM.

RM is a model more than a goal. Therefore, an organization that uses RM is in fact working under a model which has several components that together help the organization identify risk scenarios and apply appropriate measures. Risk can be either positive or negative and both imply work. An increase in the green and orange stamps will not typically be achieved by a single task but instead it will be achieved by the implementation of several measures which together will increase confidence that risks have been reduced to a reasonable level.

A tailored RM methodology was developed for Mongolian customs and it is described in detail in the document titled Risk Management Manual. One of the most important components of this RM methodology is definition of profiles which state how the organization is going to deal with an identified risk scenario. Within a profile, a key element is the strategy that the organization has defined to eliminate identified high risks. Today, many of the high risk scenarios can be eliminated by increasing automation. Therefore, the IT department plays a key role in RM. However, the RM department has to proactively seek the elimination of high risk scenarios as opposed to passively waiting until the end users make the corresponding requests. Therefore, without profiles, the organization is missing one of the most important structures of the RM model.

Another important structure of the RM model is the analysis of feedback. Currently, the organization has many processes that provide rich feedback. PCA, inspections, valuation studies and amendments all provide considerable information that can help the organization identify risk scenarios and assign appropriate priorities. In addition, the CGA needs to establish communication links with the trade community so that together all can work towards creating an efficient RM model.

In the past years, several risk scenarios have been identified. This document will compile previous findings which need to be continuously reviewed to determine if they are still valid. Absence of electronic payment, permits and licenses create high risk scenarios which are at the top of the priority list. Fortunately, the CGA is currently working on their automation and this will alleviate the current burden that they represent. After these two findings have been resolved, it is recommended that the CGA concentrates on streamlining amendments since they provide valuable information for RM. However, all findings are important and in general the IT department needs to aggressively seek the corresponding solution. Also, other general recommendations have been made which will help align the organization to efficiently implement the RM model. These other recommendations are also restated since they are equally important and should not be underestimated.

## **SECTION II: GENERAL RECOMMENDATIONS**

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### **1. Status Reporting over the Internet**

Customs should try to make its processes as transparent as possible to all users. Based on best practices, Customs should provide the status of all customs declarations over the Internet. This functionality will allow the trade community to identify the status of a customs declaration / shipment without distracting Customs personnel. The basic customs declaration's status values that should be reported are submitted and validated, paid, awaiting stamp, color of stamp assigned, findings, and goods cleared. For each of these status values, the system should log date and time stamps so that Customs can generate performance statistics and help clarify complaints.

Access codes should be provided which only give visibility to the status values of customs declarations that belong to the interested party (broker, importer, etc.). In other implementations, if an end user knows a customs declaration number, it is assumed that this end user is the interested party. Therefore, a shortcut can be implemented such that no access codes are required to check status values if the user knows a declaration number. Also, in other implementations, an option has been provided by which the raw data can be downloaded and the interested party can develop applications that will send alerts when a desired event has occurred.

### **2. Policy and IT Focus Groups**

It's important for the trade community to have a forum in which they can participate to state their problems and clarify doubts. Such a forum should be very proactive in generating answers and resolving issues that have been discussed. Generally, the trade community has issues and problems that can be classified into two groups. One is policy (interpretation of policy, scenarios not contemplated in policy, policy which is negatively affecting modern trade practices, etc.) and the other is IT (policy exists but the system does not allow the user to comply, system errors, etc.). Therefore, an IT focus group and a policy focus group should be separately implemented and an invitation should be made to the trade community to actively participate. Many times, the attendees learn more from the problems others state so it is important to keep an open invitation as much as possible. These focus groups require good moderators that will help the group advance and reach objectives. Most importantly, this moderator should be very capable in registering the agreements and doing follow up. If these forums are not resolving issues promptly then the trade community will quickly lose interest.

Preferably, the assigned moderators should be someone from the trade community. This will allow Customs to have one less responsibility and the trade community will take more ownership of the forums. Initially the forums should schedule to meet every two weeks. After the first couple of months, the forums should meet at least once every month and they should schedule ahead at least two months so that the attendees can plan better their agendas.

### **3. Electronic Bulletins**

It is in everyone's best interest that the trade community is informed promptly about changes, clarifications, special situations, etc. In general, the topics can be grouped into policy and IT issues and therefore electronic bulletins should be sent, regarding these two topics, as frequently as required. The electronic bulletins should be sent only via email to any user that has interest in being on the distribution list. Initially your distribution list should include Customs personnel, brokers and freight forwarders. It's recommended that as a footnote, an email address is specified so that anyone interested can request to be added on the distribution list with no further paper work or bureaucracy. It's also recommended that internal electronic



bulletins be generated regarding the two topics mentioned to help all personnel at Customs be up to date on relevant issues. The rule is that all external bulletins should be also sent to internal personnel but not necessarily all internal bulletins should be informed to the trade community. It's important for these bulletins to have a unique ID for easy reference, a topic and the text should be brief and clear or otherwise it will not be read. As a rule of thumb, it should not contain more than 3 or 4 lines and attachments may be sent if necessary.

Customs needs to determine which department will be responsible for authorizing bulletins and who will be responsible for sending the bulletins. If the process is fine tuned, the authorization process should not take more than 30 minutes and it should be sent 30 minutes after it has been approved. If this is not being met, then the responsibilities need to be reassigned. Customs should generate the initial distribution lists and create a simple template for each type of bulletin. A heavy template is not recommended because many users will have problems in receiving the bulletins in portable devices. An initial bulletin should be sent informing the trade community about this new procedure and invite them to give you constant feedback. This should be a permanent topic on the agenda of the policy and IT focus groups. Customs should be alert to issues that the trade community considered relevant that were not informed via an electronic bulletin. Electronic bulletins should be sent as necessary. There will be days that more than one electronic bulletin per day was sent and there will be days where no electronic bulletins are sent.

4. It is strongly suggested that personnel from the RM department visit regularly the ports and talk to all stakeholders to understand needs and problem areas.

- a. How thorough are the physical inspections conducted?
- b. What are the comments or complaints of the customs agents regarding RM?
- c. Are tasks being performed according to the stamp assigned?
- d. Are procedures being followed at the ports according to set policy?
- e. Were any new illicit practices detected from talking to customs brokers, importers, transport companies, etc.?

5. The personnel from the RM department should constantly review the feedback provided by the customs agents to the customs brokers to make sure that it is clear and complete. If the personnel from the RM department cannot understand what is the mistake detected in the customs declaration by simply reading the feedback registered on the Customs System, then the customs agent did not perform the assigned responsibility correctly and appropriate measures should be implemented. The feedback sent to the brokers is vital to the RM department to identify problem areas.

6. It is recommended that PCA verifies during each inspection that the customs declaration has exactly the attachments required based on set policy. One aspect which helps the trade facilitation indicators is to make sure that all attachments of a customs declarations are specified within the legal framework.

It was identified that currently the customs broker lists on the customs declaration the documents that are attached. The filings of January 2015 were reviewed and it was determined that they had 31,717 declarations filed with a total of 276,990 attachments. This means that on average every customs declaration has 8.7 attachments. The minimum was 1 and the maximum was 17. The import declarations were 10,763 with a total of 59,057 attachments. Average was 5.48 attachments per import declaration. The export declarations were 20,954 and the attachments were 217,933. The average was 10.4 attachments per export declaration. A sample of customs declarations was reviewed and it was determined that the

stated numbers were reasonably correct. In addition, it was determined that the trade is attaching documents which are not required by Mongolian customs. In some cases, these are attached to support their customs declaration. In other cases, especially in exports, the neighbor countries request the Mongolian export declaration and they expect these additional documents to be attached.

Approximately 40 different customs declarations have been sampled to determine the accuracy of the conclusions stated in the doing business report. The doing business report indicates that transit documents, letters of credit and insurance certificates are attached to Mongolian customs declarations. On the customs declaration reviewed, there were no transit documents as attachments, only one customs declaration had a letter of credit and only one had an insurance certificate. The customs agents at the port indicate that these two documents as attachments are very rare. However, the filers are attaching additional documents which are not under the radar of the doing business report.

The customs payment slips will soon go away with the e payment project. Also, the Technical Standards/Health attachments will tend to be eliminated with the automation of licenses, permits and authorizations.

Two approaches are recommended for reducing attachments. The first approach is that Mongolian customs should aggressively prohibit attachments which are not required. To help in this task, the attachments which are referenced on the customs declaration can be categorized such that they can only reference valid attachments. For example, a pop up menu of valid attachments should indicate something the following:

- Japanese auto auction
- Japanese certificate of origin
- Lab result
- Proof of payment of the goods

With this pop up table, the filer will have a guide that will allow them to identify which documents are valid attachments. Also, things currently stated on attached letters can be stated in a comments section on the customs declaration.

The second approach is that attachments are reviewed one by one to identify which can be eliminated by introducing automation.

As a first phase, it is recommended that the CGA concentrates on eliminating payment slips, licenses, permits and authorizations as attachments. Once this is achieved, they can evaluate what additional documents could be eliminated. In addition, in preparation for the pop up table modification, the CGA can share with the brokers a list of unnecessary documents which are frequently attached and they should be encouraged to stop this bad practice. During document review, unnecessary attachments should be identified and the broker should be forced to amend the customs declaration removing these documents from the attachment list.

### **SECTION III: PREVIOUS FINDINGS**

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1. The RM module needs to be enhanced to allow individuals to be set as a mandatory criteria.
2. Enhance the valuation module to include offense, stamp and PCA data. This will allow the RM department to have a complete tool for data analysis.
3. The valuation module containing exclusivity the customs declaration information should be made public. It is recommended that the importer / exporter and seller are not included in the public version of the valuation module. The trade community needs to be informed that this information is public and that the main purpose is so that the trade community can help customs identify possible illicit practices. The trade community can evaluate trends and patterns in shipments similar to their business and they can help the CGA understand and detect problem areas. Therefore, it is equally important that customs establishes an efficient communication channel that will allow the trade to report any findings.
4. Licenses, simple permits, permits with quotas and authorizations need to be automated. A specific document titled Automation of Permits, Licenses and Authorizations has been developed which explains in detail what is required. Initial development work has been done, however the project requires a sponsor from the end user to ensure its completion.
5. Mongolia is about to enter into a trade agreement with Japan and provisions need to be made in the Customs System to accommodate the new regulations that this trade agreement will imply. In reality, for the Customs System, the implications of a trade agreement or a treaty are the same. In any case, it's important that the design is flexible so that new treaties or trade agreements can be easily added to the Customs System.

It is recommended that identifiers are incorporated into the customs declaration to allow for precise filing. The identifier should be at an item level. For example, identifier TA with an ID1 set to Japan at an item level could indicate that the corresponding item in the customs declaration is being filed under the trade agreement with Japan which would allow the Customs System to perform the required validations.

Internally in the Customs System, a new tariff schedule should be added for the trade agreement with Japan. It is not recommended to mix the current tariff schedule with the one that will apply for Japan under the trade agreement since over time the schedule will get complex. Therefore, it is better to keep them separate. Under this scenario if the identifier TA with an ID1 set to Japan is stated on an item, then the Customs System will know that for that item, the tariff schedule for Japan should be applied.

When a new trade agreement or treaty is approved, the TA identifier would be filed with a new ID1. Therefore, the identifier model is very flexible for precise filings and its usage is very broad.

The implementation of identifiers is explained in detail in the document titled Automation of Permits, Licenses and Authorizations.

6. The e payment project is currently under implementation. This project should have a very high priority since the new process will benefit all customs declarations. It's very important that once the new process is stable, customs removes the requirement of attaching payment slips to the customs declarations.
7. Force inspectors to choose between no offence (no finding) or offence (finding) after an inspection is performed and force feedback only if the offense option is selected. An

enhancement was made that allowed the agent to select a new option which was “No Comment” and correctly did not provide a section for the agent to register additional information if this option was chosen. However, “No Comment” does not have the same meaning as “No Finding”. Also, as possible results of the inspection, other values which are synonyms of “No Findings” were not eliminated which means that the customs agent could also select result values such as, no problems found during a document inspection, no problems found during a physical inspection and even register comments in these cases which is not correct. Therefore, the “No Comment” result value should be changed to “No Finding” and all synonyms should be removed.

8. Streamline the amendment process providing traceability and allowing for feedback to be registered regarding the reason why an amendment was required.

Progress was made in amendments since now, the log of a customs declaration will show all amendments which were made. When the amended customs declaration is submitted again, the random number assigned is not modified which is correct. However, if the original stamp was orange and based on the amended information, the new stamp should be green, then the final stamp should be orange. If the original stamp was orange and based on the amended information, the new stamp should be orange then the final stamp should continue to be orange. If the original stamp was orange and based on amended information, the new stamp should be red, then the final stamp should be orange but the customs agent and the supervisor should be forced by the system to change the stamp to red. If the original stamp was red and based on the amended information the new stamp should be green or orange, then the final stamp should be red. If the original stamp was red and based on the amended information the new stamp should be red, then the final stamp should be red.

The proposed stamp management allows the customs agent to confirm if the requested amendment was performed correctly regardless if as a result of the amendment, the shipment is now considered to have less risk. On the other hand, if as a result of the amendment the shipment is now considered to have higher risk, then the shipment will correctly get the inspection treatment that it merits.

Keeping track of amendments is important because when a custom agent sends back a customs declaration, the reason why it was sent back is very useful to the RM department so that risk scenarios can be analyzed. In this case, it's also important for the RM department to be able to access the original customs declaration and the amended customs declaration.

The Customs System should be modified such that in the screen used by the broker to file a customs declaration, a new field should be added titled “amendment”. This field cannot be changed by the broker and it is only informative. The value of this field should be numeric (integer) and its initial value should be zero. When the broker files the customs declaration for the first time, the value of the amendment field should be zero. If a filed declaration is changed by the broker then the broker has to amend the customs declaration. Each amendment will increment the “amendment” field by one. Therefore, if a modification is done by the broker to the customs declaration after it has been filed, then the value of its “amendment” field will one.

The general rule is that the customs broker can make amendments to a customs declaration as long as it has not been assigned a stamp. Once it has been assigned a stamp it is considered to be within the clearance process. While in the clearance process, the broker can only make amendments if it is requested by a customs agent.

The component used by the brokers to file a customs declaration needs to be modified when working with on an amendment of a customs declaration (the value of the “amendment” field

not equal to zero). The current amount paid should be displayed ghosted meaning that these fields cannot be changed by the broker. As the customs declaration is changed, it could be that the modification made requires an additional payment of duties. These additional duty payments should be displayed on a separate section and when the amended customs declaration is paid, then only the amount stated in this new section should be paid. If the customs declaration is amended again, then the sum of both payments made previously should be displayed ghosted. If as a result of an amendment the amount due is a negative value then no payment should be required and the CGA should define the corresponding procedure for overpayments.

If PCA detects a finding it will be after the customs declaration has cleared. Typically, PCA has five years to review customs declarations which means that there is a possibility that by the time that PCA detects the problem, the original broker does not exist or the importer/exporter no longer does business with the original broker. Therefore, PCA more than likely will notify the importer/ exporter of the finding and the importer/exporter could choose a new broker to make the amendment. This means that a process needs to be implemented in the Customs System so that PCA can name a new broker for a customs declaration upon request from the importer/exporter. This will allow the new broker to view and amend the original customs declaration.

Feedback from PCA is very important to the RM department. Therefore, findings from PCA should result in feedback getting registered on the customs declaration and an amendment should be made to fix the problem. This will allow a customs to have a complete history of every shipment.

Amending customs declarations may seem a problem to the statistical department especially because amendments in reality change the original customs declaration. What is done in other economies, is that the monthly or yearly trade statistics have two sections. The declarations processed and the declarations amended. The amended declaration section states information regarding the original declaration and the amended declaration so that the user can make correct interpretations and analysis of the data.

9. At the end of the clearance process, force the inspectors to first process the customs declarations that were assigned a green stamp, followed by the orange stamps and leave for last the red stamps in a first come first serve order.

The enhancement made, correctly displays to the agent first the customs declarations which were assigned a green stamp, followed by the customs declarations which were assigned an orange stamp and finally the customs declarations that were assigned a red stamp. However, the system still allows the agent to pick any of the customs declarations for processing without giving priority to the customs declarations that were assigned green and orange stamps. Therefore, the system needs to be changed such that no customs declarations with orange and red stamps can be released if there is at least one customs declaration with a green stamp that has not been released. In addition, no customs declarations with red stamps can be released if there is at least one customs declaration with an orange stamp which has not been released.

10. Customs agents should be forced to view the instructions before an inspection is performed.

The enhancement made correctly shows the instructions before the inspection is performed in a pop up window. However, the pop up window does not get displayed if the configuration options on the customs agent's computer are not set up correctly. Therefore, it is recommended that an initial pop up window is added when the user tries to log into CAIS such that if the customs agent's computer is not configured correctly, then the customs agent will

not be able to access CAIS. With this mechanism the IT department can reasonably assume that all computers which access CAIS do have the correct configuration so that the popup windows with instructions can be correctly displayed.

11. Currently all customs declarations filed have to be reviewed by a customs agent regardless of the stamp assigned so that the customs agent can determine the valuation method applicable. However, in a self-assessment environment it's the importer or the customs broker the one that chooses the corresponding valuation method and if the shipment is targeted for PCA or if the shipment is assigned an orange or a red stamp then the valuation method specified is reviewed by a customs agent. Therefore, the field which states the valuation method in a customs declaration has to be visible to the filer so that the filer can choose from a set of valid values.

12. The exchange rate is now updated daily by government and this has been incorporated into the customs process. However, sometimes the broker has to use older exchange rates but these cases are not validated by the Customs System. Therefore, the Customs System should be changed such that a previous exchange rate can be stated on a customs declaration by a broker only if the shipment meets the corresponding conditions.

13. Currently, in an export declaration of a bulk shipment, a customs agent is assigned manually to inspect the bulk shipment and afterwards the customs declaration is filed. All these shipments are assigned a red stamp and the customs agent assigned by the Customs System is changed manually to force the customs agent to be the same one that performed the initial inspection of the bulk shipment. To streamline this process it is suggested that a customs agent or an authorized third party is assigned to a bulk shipment to verify the content and as a result generates a corresponding certificate which is provided to the importer / customs broker. The customs broker should then use the certificate to generate the customs declaration and if a red or an orange stamp is assigned then the customs agent can verify that the certificate attached is authentic and valid. This process will no longer require all bulk shipments to always get assigned a red stamp.

14. Currently all vehicle shipments are inspected to verify if the model year stated is correct. On a previous report it was recommended that the Customs System could verify automatically the model year using the VIN. However vehicle customs declarations were analyzed and it was determined that in the Mongolian region, the 17 digit VIN is seldom used and in its place a 10 digit registration number used.

A Russian site [bestway@yandex.ru](mailto:bestway@yandex.ru) was identified that provides online information of vehicles based on the registration number. The cost of the service is 55 USD per month for unlimited access and they do provide an API so that automatic interfaces can be built. It is recommended that the CGA contracts the service and evaluates with real data if it provides an added value. A good result would be that the Russian site does provide the model year of the vehicle and this information can be validated automatically by the Customs System eliminating an inspection point.

15. The modify and the reactivate buttons on the RM module considerably increase the complexity of the code and reduce the credibility of a module. Logs have to be reviewed to trace the history of indicators which because of the modify and reactivate buttons, an indicator could have gaps in its application and changes in its scope making traceability more difficult. Therefore, by removing the modify and reactivate buttons, indicators will be forced to be added and deleted streamlining the tractability process.

16. Today the customs agent can only pick one error as a result of an inspection but in reality a customs declaration could have multiple errors. Therefore, this process needs to be



changed so that more than one error can be selected and for each error the customs agent should have the possibility of stating comments. Also, each error needs to be reviewed to determine if it can be amended by the broker. If all errors selected by the customs agent can be amended by the broker, then the customs declaration should be sent back to the broker so that the required corrections can be performed.

17. An indicator that is loaded with an apply date starting today, is not correctly enforced the RM module.

18. When a supervisor reassigns an inspector stated on a customs declaration, apparently the system changes the stamp to red. If an inspector is reassigned the stamp should remain unchanged.

19. The Customs System is not validating goods which are exempt and it will allow these exemptions to be stated on a customs declaration even if there is no compliance with the applicable limitations such, exemptions that can only be stated under certain procedure codes.

20. The Customs System is not validating that certain procedure codes cannot be used by individuals.

21. The Customs System is not automatically verifying that returned goods are done under allotted time and if exceeded, the corresponding penalty should be charged automatically.

22. Apparently, brokers with repeated offenses are required to not file additional customs declarations until they receive training. The Customs System should automatically block brokers which reach the allotted offense limit and should be automatically activated after they successfully complete the required training.

23. Alerts should be sent by the Customs System to designated CGA personnel when a temporary import or export has exceeded allotted time and grace period.

24. Customs declarations for fuel require a complementary report to be submitted to the CGA specifying the fuel usage. The system should automatically control the report filing by blocking importers, brokers and/or broker companies which have not complied and automatically reinstating these users when they provide the required report.

25. CAIS should have an automatic link with the offense system to avoid recapturing the customs declaration number which is prone to clerical errors. This will allow better usage of valuable offense data since cases where a customs declaration's offense data cannot be located will be eliminated.

26. The Customs System should verify that brokers are not allowed to declare nonexistent procedure codes.

27. In Mongolia, shipments are inspected by the CGA but also some shipments are inspected by GASI. The CGA inspections focus on quantity, correct classification, verification of permits and correct duty payment. The GASI inspections focus on the quality of the goods.

Currently, no declaration for the goods is filed with the GASI and the GASI does not use RM in its inspections. The GASI has expressed interest in using RM and also there have been discussions as to the possibility of conducting joint inspections between the CGA and the GASI. The GASI has already identified about 2500 HS codes which they need to inspect. The fact that now the GASI is working with HS codes is considered a step in the correct direction.

Taking into account that the GASI does not use a declaration for the goods it inspects and that it does not have an RM system, one possibility for implementing RM in the GASI rapidly, is using the customs declaration to trigger the GASI RM and to use the current RM module implemented in the Customs System to generate the appropriate stamps. This option would

allow the GASI to start using RM in a short period of time and with a marginal investment. Also, provisions can be added the Customs System relatively easily to control joint inspections when possible.

A special document which describes the strategy for implementing RM in GASI has been developed, titled The GASI Risk Management Component and Joint Inspections between the CGA and GASI.



## **SECTION IV: CONCLUSION**

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Implementing an efficient RM model at the CGA will allow the organization to make better usage of available resources. The CGA needs to proactively seek the elimination of risk scenarios and conduct the appropriate supervision to make sure that only value added tasks are performed. The gradual elimination of risk scenarios will cause a gradual increase in the assignment of green and orange stamps and an increase in the trust of using RM.